

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHWESTERN DIVISION

LARRY FRANK YARBROUGH, )  
                               )  
Plaintiff,                 )                                  CRIMINAL CASE NUMBER  
                               )                                    3:02-cr-0234-UWC  
vs.                         )                                    (§ 2255 Case Number CV03-C-8048-NW)  
                               )  
UNITED STATES OF AMERICA, )  
                               )  
Defendant.                 )

**ORDER**

On January 10, 2005, the magistrate judge's report and recommendation was entered and the parties were allowed therein fifteen (15) days in which to file objections to the recommendations made by the magistrate judge. To date, neither petitioner nor respondent have filed objections.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge. It is therefore ORDERED that the Motion to Vacate, Set Aside or Correct Sentence, filed pursuant to 28 U.S.C. § 2255, is due to be and is hereby DENIED and this action DISMISSED.

Done this 25<sup>th</sup> day of February, 2005.



U.W. Clemon  
Chief United States District Judge